

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: The Police and Criminal Evidence (Northern Ireland) Order 1989, Cross Heading: Persons arrested and released is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

PROSPECTIVE

[^{F1}SCHEDULE 2A

Fingerprinting and samples: power to require attendance at police station

- F1** Sch. 2A inserted (prosp.) by Crime and Security Act 2010 (c. 17), ss. 12(2), 59(1) (as amended (15.12 2011) by Terrorism Prevention and Investigation Measures Act 2011 (c. 23), ss. 29(3), 31(2), Sch. 7 para. 6(3) (with Sch. 8))

Part 3

Non-intimate samples

Persons arrested and released

9.—(1) A constable may require a person to attend a police station for the purpose of taking a non-intimate sample from him under Article 63(3ZA).

(2) The power under sub-paragraph (1) may not be exercised in a case falling within Article 63(3ZA)(b) (sample taken on a previous occasion not suitable etc) after the end of the period of six months beginning with the day on which the appropriate officer was informed of the matters specified in Article 63(3ZA)(b)(i) or (ii).

(3) In sub-paragraph (2) “appropriate officer” means the officer investigating the offence for which the person was arrested.]

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View outstanding changes

Changes and effects yet to be applied to :

- various legislation applied by 2016 c. 18 (N.I.) s. 161(2)(a)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order applied by 2016 c. 18 (N.I.) s. 150(1)(a)
- Order excluded by 2012 c. 9 Sch. 1 para. 7(5)
- Order extended by 2003 c. 6 Sch. 4 para. 23A (as inserted) by S.I. 2007/912 (N.I.) Sch. 4 para. 5

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2A para. 1(4) inserted by 2015 c. 9 (N.I.) s. 83(3)(a)(ii)
- Sch. 2A para. 2(2)(c) and word inserted by 2015 c. 9 (N.I.) s. 83(3)(b)(ii)
- Sch. 2A para. 9(4) inserted by 2015 c. 9 (N.I.) s. 83(3)(c)(ii)
- Sch. 2A para. 10(5) inserted by 2015 c. 9 (N.I.) s. 83(3)(d)(ii)
- Sch. 2A para. 2(2)(b) words substituted by 2015 c. 9 (N.I.) s. 83(3)(b)(i)
- art. 62(10)(ab) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 6(3)(b) by 2022 c. 4 (N.I.) s. 4(9)(e)
- art. 3(9ZA)(9ZB) inserted by 2019 c. 17 s. 12(5)
- art. 19(1)(cc) inserted by S.I. 2007/916 (N.I.) art. 18(2)
- art. 53(3A)(3B) inserted by 2013 c. 7 (N.I.) Sch. 3 para. 1(3)
- art. 53(3A) inserted by 2010 c. 17 s. 15(4)
- art. 53(4) inserted by 2010 c. 17 s. 9(6)
- art. 53B inserted by 2013 c. 7 (N.I.) Sch. 3 para. 3
- art. 56(13A)(b)(iii) and word substituted for word by 2015 c. 9 (N.I.) Sch. 2 para. 6(1)(b)
- art. 56(13A)(b)(iii) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 6(1)(b) by 2022 c. 4 (N.I.) s. 4(9)(e)
- art. 56A(9)(b)(iii) and word substituted for word by 2015 c. 9 (N.I.) Sch. 2 para. 6(2)(b)
- art. 56A(9)(b)(iii) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 6(2)(b) by 2022 c. 4 (N.I.) s. 4(9)(e)
- art. 61(5A) inserted by 2010 c. 17 s. 8(1)
- art. 61(5A)(b) words substituted by 2015 c. 9 (N.I.) s. 83(1)(a)
- art. 61(5B) inserted by 2010 c. 17 s. 8(2)
- art. 61(5B)(b) words substituted by 2015 c. 9 (N.I.) s. 83(1)(a)
- art. 61(5C) inserted by 2015 c. 9 (N.I.) s. 83(1)(b)
- art. 61(6)-(6ZD) substituted for art. 61(6) by 2010 c. 17 s. 8(3)
- art. 61(6D)-(6G) inserted by 2010 c. 17 s. 9(1)
- art. 61(6BA) inserted by 2008 c. 28 s. 12(2) (This amendment not applied to legislation.gov.uk. S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 62(2A)(2B) inserted by 2010 c. 17 s. 9(2)

- art. 62(10)(ab) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 6\(3\)\(b\)](#)
- art. 62(10)(ab) words substituted in earlier affecting provision [2015 c. 9 \(N.I.\)](#), Sch. 2 para. 6(3)(b) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(e\)](#)
- art. 63(3A)(c)(i) word substituted by [2013 c. 7 \(N.I.\) Sch. 3 para. 4](#)
- art. 63(3B)-(3BD) substituted for art. 63(3B) by [2010 c. 17 s. 8\(7\)](#)
- art. 63(3C) inserted by [2008 c. 28 s. 12\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 omitted (14.12.2011) by virtue of [2011 c. 23](#), ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 63(3D)-(3G) inserted by [2010 c. 17 s. 9\(4\)](#)
- art. 63(3AA) inserted by [2015 c. 9 \(N.I.\) s. 83\(2\)\(c\)](#)
- art. 63(3ZA) inserted by [2010 c. 17 s. 8\(5\)](#)
- art. 63(3ZA)(b)(iii) and word inserted by [2015 c. 9 \(N.I.\) s. 83\(2\)\(a\)](#)
- art. 63A(1E)(1F) inserted by [2010 c. 17 s. 11\(1\)](#)
- art. 63A(6A) inserted by [2008 c. 28 s. 12\(4\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 omitted (14.12.2011) by virtue of [2011 c. 23](#), ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 63B-63R inserted by [2013 c. 7 \(N.I.\) Sch. 2](#)
- art. 63D(1)(a) substituted by [2019 c. 3 Sch. 2 para. 5\(2\)\(a\)](#)
- art. 63D(1)(a)(i) words inserted by [S.I. 2023/1386 Sch. para. 9\(5\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by [2013 c. 7 \(N.I.\)](#), Sch. 2 and [2019 c. 3](#), Sch. 2 para. 5 respectively are still prospective)
- art. 63D(14) words inserted by [2019 c. 3 Sch. 2 para. 5\(2\)\(b\)](#)
- art. 63D(14) words inserted by [S.I. 2023/1386 Sch. para. 9\(5\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by [2013 c. 7 \(N.I.\)](#), Sch. 2 and [2019 c. 3](#), Sch. 2 para. 5 respectively are still prospective)
- art. 63N substituted by [2015 c. 9 \(N.I.\) s. 86](#)
- art. 63R(4A) inserted by [2019 c. 3 Sch. 4 para. 20\(9\)](#)
- art. 63R(4B) inserted by [2023 c. 32 Sch. 18 para. 5\(8\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of art. 63R by [2013 c. 7 \(N.I.\) Sch. 2](#) remains prospective at 31.12.2023.)
- art. 63R(5) words substituted by [2015 c. 9 \(N.I.\) s. 87\(a\)](#)
- art. 63R(5A)(5B) inserted by [2015 c. 9 \(N.I.\) s. 87\(b\)](#)
- art. 63DA inserted by [2019 c. 3 Sch. 2 para. 5\(3\)](#)
- art. 63DA heading words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by [2013 c. 7 \(N.I.\)](#), Sch. 2 and [2019 c. 3](#), Sch. 2 para. 5 respectively are still prospective)
- art. 63DA(1)(a) words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by [2013 c. 7 \(N.I.\)](#), Sch. 2 and [2019 c. 3](#), Sch. 2 para. 5 respectively are still prospective)
- art. 63DA(4) words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by [2013 c. 7 \(N.I.\)](#), Sch. 2 and [2019 c. 3](#), Sch. 2 para. 5 respectively are still prospective)
- art. 63GA inserted by [2015 c. 9 \(N.I.\) s. 84](#)
- art. 63KA inserted by [2015 c. 9 \(N.I.\) s. 85](#)
- art. 64(1AA) inserted by [2008 c. 28 s. 12\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 omitted (14.12.2011) by virtue of [2011 c. 23](#), ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 64(1AB) inserted by [2008 c. 28 s. 15\(5\)](#)
- art. 89(2A) inserted by [2013 c. 7 \(N.I.\) Sch. 3 para. 5](#)